



## Senate

General Assembly

**File No. 330**

February Session, 2014

Substitute Senate Bill No. 412

*Senate, April 3, 2014*

The Committee on General Law reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING THE ENFORCEMENT OF CERTAIN OCCUPATIONAL LICENSING STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 20-332 of the 2014 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2014*):

4 (c) If, after a hearing in accordance with the regulations adopted by  
5 the Commissioner of Consumer Protection, it appears that the  
6 provisions of this chapter or the regulations adopted under this  
7 chapter have been violated, in addition to the penalties in this chapter,  
8 the appropriate examining board [, or] and the commissioner, [or the  
9 commissioner's authorized agent,] either jointly or separately, shall  
10 report such violation to the office of the state's attorney for the judicial  
11 district in which such violation occurred.

12 Sec. 2. Section 20-341 of the general statutes is repealed and the  
13 following is substituted in lieu thereof (*Effective October 1, 2014*):

14 (a) Any person who wilfully or negligently engages in or practices  
15 the work or occupation for which a license is required by this chapter  
16 or chapter 399b without having first obtained an apprentice permit or  
17 a certificate and license for such work, as applicable, or who wilfully or  
18 negligently employs or supplies for employment a person who does  
19 not have a certificate and license for such work, or who wilfully and  
20 falsely pretends to qualify to engage in or practice such work or  
21 occupation, including, but not limited to, offering to perform such  
22 work in any print, electronic, television or radio advertising or listing  
23 when such person does not hold a license for such work as required by  
24 this chapter, or who wilfully or negligently engages in or practices any  
25 of the work or occupations for which a license is required by this  
26 chapter after the expiration of such person's license, shall be guilty of a  
27 class B misdemeanor, [provided] except that no criminal charges shall  
28 be instituted against such person pursuant to this subsection unless the  
29 work activity in question is reviewed by the Commissioner of  
30 Consumer Protection, or the commissioner's authorized agent, and the  
31 commissioner or such agent specifically determines, in writing, that  
32 such work activity requires a license and is not the subject of a bona  
33 fide dispute between persons engaged in any trade or craft, whether  
34 licensed or unlicensed. Notwithstanding the provisions of subsection  
35 (d) or (e) of section 53a-29 and subsection (d) of section 54-56e, if the  
36 court determines that such person cannot fully repay any victims of  
37 such person within the period of probation established in subsection  
38 (d) or (e) of section 53a-29 or subsection (d) of section 54-56e, the court  
39 may impose probation for a period of not more than five years. The  
40 penalty provided in this subsection shall be in addition to any other  
41 penalties and remedies available under this chapter or chapter 416.

42 (b) If the commissioner or the appropriate examining board finds (1)  
43 any person in violation of the provisions of this section, and (2) that the  
44 work activity in question is not the subject of a bona fide dispute  
45 between persons engaged in any trade or craft, whether licensed or  
46 unlicensed, the commissioner and the appropriate examining board,  
47 either jointly or separately, shall, within forty-eight hours of such  
48 finding, issue a cease work order to the person responsible for the

49 violation and deliver such order to such person. Such order shall  
50 require that any person working at a worksite without a required  
51 permit, certificate or license cease work and leave the worksite  
52 immediately. A copy of the order shall be given to the examining  
53 board if issued by the commissioner, and to the commissioner if issued  
54 by the examining board. The commissioner and the examining board,  
55 either jointly or separately, may request a municipal building official to  
56 issue a cease work order in accordance with the provisions of  
57 subsection (c) of section 29-261 or may notify a municipal building  
58 official of the issuance of a cease work order issued by the  
59 commissioner or the examining board. Any person who has been  
60 issued a cease work order pursuant to this subsection may request a  
61 hearing before the commissioner and the appropriate examining  
62 board. Such request for a hearing shall be made in writing to the  
63 commissioner not more than ten days after the issuance of such order.  
64 Such hearing shall be conducted in accordance with the provisions of  
65 chapter 54 and shall commence not later than ten days after such  
66 request.

67 [(b)] (c) The appropriate examining board [or] and the  
68 Commissioner of Consumer Protection may, either jointly or  
69 separately, after notice and hearing, impose a single civil penalty for  
70 each violation on any person who (1) engages in or practices the work  
71 or occupation for which a license or apprentice registration certificate  
72 is required by this chapter, chapter 394, chapter 399b or chapter 482  
73 without having first obtained such a license or certificate, or [who] (2)  
74 wilfully or negligently employs or supplies for employment a person  
75 who does not have such a license or certificate or who wilfully and  
76 falsely pretends to qualify to engage in or practice such work or  
77 occupation, or [who] (3) engages in or practices any of the work or  
78 occupations for which a license or certificate is required by this  
79 chapter, chapter 394, chapter 399b or chapter 482 after the expiration of  
80 the license or certificate, or [who] (4) violates any of the provisions of  
81 this chapter, chapter 394, chapter 399b or chapter 482 or the regulations  
82 adopted pursuant thereto. Such penalty shall be in an amount not  
83 more than one thousand dollars for a first violation of this subsection,

84 not more than one thousand five hundred dollars for a second  
85 violation of this subsection and not more than three thousand dollars  
86 for each violation of this subsection occurring less than three years  
87 after a second or subsequent violation of this subsection, except that  
88 any individual employed as an apprentice but improperly registered  
89 shall not be penalized for a first offense.

90 [(c)] (d) If an examining board or the Commissioner of Consumer  
91 Protection imposes a civil penalty under the provisions of subsection  
92 [(b)] (c) of this section as a result of a cease work order issued by, or  
93 violation initially reported by, a municipal building official in  
94 accordance with subsection (c) of section 29-261, the commissioner  
95 shall, not less than sixty days after collecting such civil penalty, remit  
96 one-half of the amount collected to such municipality.

97 [(d)] (e) A violation of any of the provisions of this chapter shall be  
98 deemed an unfair or deceptive trade practice under subsection (a) of  
99 section 42-110b.

100 [(e)] (f) This section shall not apply to any person who (1) holds a  
101 license issued under this chapter, chapter 394, chapter 399b or chapter  
102 482 and performs work that is incidentally, directly and immediately  
103 appropriate to the performance of such person's trade where such  
104 work commences at an outlet, receptacle or connection previously  
105 installed by a person holding the proper license, or (2) engages in work  
106 that does not require a license under this chapter, chapter 394, chapter  
107 399b or chapter 482.

108 Sec. 3. Subsection (a) of section 21a-8 of the general statutes is  
109 repealed and the following is substituted in lieu thereof (*Effective*  
110 *October 1, 2014*):

111 (a) The Department of Consumer Protection shall have the  
112 following powers and duties with regard to each board or commission  
113 transferred to the Department of Consumer Protection under section  
114 21a-6:

115       (1) The department shall control the allocation, disbursement and  
116 budgeting of funds appropriated to the department for the operation  
117 of each board or commission transferred to said department.

118       (2) The department shall employ and assign such personnel as the  
119 commissioner deems necessary for the performance of each board's or  
120 commission's functions.

121       (3) The department shall perform all management functions,  
122 including purchasing, bookkeeping, accounting, payroll, secretarial,  
123 clerical, record-keeping and routine housekeeping functions.

124       (4) The department shall conduct any necessary review, inspection  
125 or investigation regarding qualifications of applicants for licenses or  
126 certificates, possible violations of statutes or regulations, accreditation  
127 of schools, disciplinary matters and the establishment of regulatory  
128 policy, and make recommendations to the appropriate board or  
129 commission. In connection with any such investigation, the  
130 Commissioner of Consumer Protection, or the commissioner's  
131 authorized agent, may administer oaths, issue subpoenas, compel  
132 testimony and order the production of books, records and documents.  
133 If any person refuses to appear, to testify or to produce any book,  
134 record or document when so ordered, a judge of the Superior Court  
135 may make such order as may be appropriate to aid in the enforcement  
136 of this section.

137       (5) The department shall administer any examinations necessary to  
138 ascertain the qualifications of applicants for licenses or certificates and  
139 shall issue licenses or certificates to qualified applicants. The  
140 department shall maintain rosters of licensees or registrants and  
141 update such rosters annually, and may provide copies of such rosters  
142 to the public for an appropriate fee.

143       (6) The department shall conduct any necessary investigation and  
144 follow-up in connection with complaints regarding persons subject to  
145 regulation or licensing by the board or commission.

146 (7) The department shall perform any other function necessary to  
147 the effective operation of the board or commission and not specifically  
148 vested by statute in the board or commission.

149 (8) The department shall receive complaints concerning the work  
150 and practices of persons licensed, registered or certified by such boards  
151 or commissions and shall receive complaints concerning unauthorized  
152 work and practice by persons not licensed, registered or certified by  
153 such boards or commissions. The department shall distribute monthly  
154 a list of all complaints received within the previous month to the  
155 chairperson of the appropriate board or commission. The department  
156 shall screen all complaints and dismiss any in which the allegation, if  
157 substantiated, would not constitute a violation of any statute or  
158 regulation. The department shall distribute notice of all such  
159 dismissals monthly to the chairperson of the appropriate board or  
160 commission. The department shall investigate any complaint in which  
161 the allegation, if substantiated, would constitute a violation of a statute  
162 or regulation under its jurisdiction. In conducting the investigation, the  
163 commissioner may seek the assistance of a member of the appropriate  
164 board, an employee of any state agency with expertise in the area, or if  
165 no such member or employee is available, a person from outside state  
166 service licensed to perform the work involved in the complaint. Board  
167 or commission members involved in an investigation shall not  
168 participate in disciplinary proceedings resulting from such  
169 investigation. The Commissioner of Consumer Protection may dismiss  
170 a complaint following an investigation if the commissioner determines  
171 that such complaint lacks probable cause. Notice of such dismissal  
172 shall be given only after approval by [the chairperson of] the  
173 appropriate board or commission. The commissioner may authorize a  
174 settlement if the settlement is approved by the complainant, the  
175 practitioner, and the board or commission. [The] With respect to any  
176 complaint that is not authorized for settlement, the commissioner  
177 [may] shall bring a complaint before the appropriate board or  
178 commission for a formal hearing if the commissioner determines that  
179 there is probable cause to believe that the offense alleged in the  
180 complaint has been committed and that the practitioner named in the

181 complaint was responsible. The commissioner, or the commissioner's  
182 authorized agent, shall have the power to issue subpoenas to require  
183 the attendance of witnesses or the production of records,  
184 correspondence, documents or other evidence in connection with any  
185 hearing of a board or commission. All dispositions and final decisions  
186 by the Department of Consumer Protection after an investigation into a  
187 complaint has begun shall be forwarded to the chairperson of the  
188 appropriate board or commission on a monthly basis.

189 (9) The department may contract with a third party, if the  
190 commissioner deems it necessary and if the appropriate board or  
191 commission consents, to administer licensing examinations and  
192 perform all attendant administrative functions in connection with such  
193 examination and to monitor continuing professional education  
194 requirements, and may require the payment of a fee to such third  
195 party.

196 Sec. 4. Section 21a-9 of the general statutes is repealed and the  
197 following is substituted in lieu thereof (*Effective October 1, 2014*):

198 (a) With regard to the boards and commissions within the  
199 Department of Consumer Protection, the Commissioner of Consumer  
200 Protection and such boards (1) shall adopt uniform rules of procedure,  
201 [consistent] in accordance with chapter 54, for hearings and other  
202 proceedings to be conducted by the boards or commissions or by the  
203 commissioner and for the giving of notice to persons affected by such  
204 proceedings, and (2) may, where authorized by statute, adopt  
205 regulations regarding any subject within the jurisdiction of a board or  
206 commission.

207 (b) Any rules of procedure and regulations adopted pursuant to this  
208 section shall be adopted in accordance with chapter 54. No regulation  
209 shall be adopted by the commissioner pursuant to this section until the  
210 appropriate board or commission has [had reasonable opportunity to  
211 review] approved the proposed regulation. [and to offer comments  
212 thereon.]

213 (c) Each such board or commission may act in accordance with the  
214 provisions of subdivision (7) of section 21a-7, and the commissioner  
215 may act in accordance with the provisions of subdivision (3) of  
216 subsection (b) of section 21a-8, in the case of a practitioner who: (1)  
217 Engages in fraud or material deception in order to obtain a license,  
218 registration or certificate issued by the board or commission or to aid  
219 another in obtaining a license, registration or certificate issued by the  
220 board or commission; (2) performs work beyond the scope of the  
221 license, registration or certificate issued by the board or commission;  
222 (3) illegally uses or transfers a license, registration or certificate issued  
223 by the board or commission; (4) performs incompetent or negligent  
224 work; (5) makes false, misleading or deceptive representations to the  
225 public; (6) has been subject to disciplinary action similar to that  
226 specified in subdivision (7) of section 21a-7 or subdivision (3) of  
227 subsection (b) of section 21a-8 by a duly authorized professional  
228 agency of the United States, any state within the United States, the  
229 District of Columbia, a United States possession or territory or a  
230 foreign jurisdiction; or (7) violates any provision of the general statutes  
231 or any regulation [established] adopted thereunder [,] relating to the  
232 practitioner's profession or occupation.

233 (d) As used in chapters 390, 391, 392, 393, 394, 396, 400g, 400j, 482  
234 and 400l:

235 (1) "Certificate" includes the whole or part of any Department of  
236 Consumer Protection permit which the department issues under  
237 authority of the general statutes and which (A) authorizes practice of  
238 the profession by certified persons but does not prohibit the practice of  
239 the profession by others, not certified, (B) prohibits a person from  
240 falsely representing that such person is certified to practice the  
241 profession unless the person holds a certificate issued by the  
242 department, and (C) requires as a condition of certification that a  
243 person submit specified credentials to the department which attest to  
244 qualifications to practice the profession.

245 (2) "License" includes the whole or part of any Department of



246 Consumer Protection permit, approval, or similar form of permission  
 247 which the department issues under authority of the general statutes  
 248 and which requires (A) practice of the profession by licensed persons  
 249 only, (B) demonstration of competence to practice by examination or  
 250 other means and meeting of certain minimum standards, and (C)  
 251 enforcement of standards by the department or regulatory board or  
 252 commission.

253 (3) "Registration" includes the whole or part of any Department of  
 254 Consumer Protection permit which the department issues under  
 255 authority of the general statutes and which (A) requires persons to  
 256 place their names on a list maintained by the department before they  
 257 can engage in the practice of a specified profession or occupation, (B)  
 258 does not require a person to demonstrate competence by examination  
 259 or other means, and (C) may be revoked or suspended by the  
 260 commissioner for cause.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	20-332(c)
Sec. 2	<i>October 1, 2014</i>	20-341
Sec. 3	<i>October 1, 2014</i>	21a-8(a)
Sec. 4	<i>October 1, 2014</i>	21a-9

**GL**            *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 15 \$</b>	<b>FY 16 \$</b>
Consumer Protection, Dept.	GF - Cost	218,360	287,813
Consumer Protection, Dept.	GF - Revenue Gain	22,500	30,000
Judicial Dept.	GF - Revenue Gain	15,000	20,000
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	77,485	103,313

### **Municipal Impact:** None

### **Explanation**

The bill results in a cost to the state of \$295,845 in FY 15 and \$391,126 in FY 16. Additionally the bill results in a revenue gain to the state of \$37,500 in FY 15 and \$50,000 in FY 16. The costs in FY 15 include \$211,360 in salaries, \$77,485 in fringe benefits and, \$7,000 in Other Expenses and Equipment. The costs in FY 16 include \$281,813 in salaries, \$103,313 in fringe benefits and \$6,000 in Other Expenses.

The Department of Consumer Protection (DCP) will need two Occupational Inspectors, two Paralegals and one Consumer Information Representative to carry out the requirements of the bill.

It is anticipated that making it illegal to negligently engage in certain work without the required license or employ unlicensed people will result in an estimated increase of 80 complaints requiring

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 36.66% of payroll in FY 15 and FY 16.

investigation by an Occupational Inspector with the support of a Paralegal.

Additionally, the bill will result in “Stop Work Orders”, a new responsibility for the DCP. This will require a Consumer Information Representative to process complaints and perform related work, a Paralegal to develop stop work orders and complete compliance work and an Occupational Inspector to monitor compliance.

The bill is anticipated to result in a minimal revenue gain of less than \$15,000 in FY 15 and less than \$20,000 in FY 16 to the Judicial Department by adding to the violation of contractors who engage in work without a required license. In FY 13 there were no convictions under the current statute. It is anticipated that this new provision will result in less than 15 convictions in FY 15 and 20 in FY 16.

Finally it is anticipated that fines by the DCP for engaging in certain work without the required license or employing unlicensed people will increase by \$22,500 in FY 15 and \$30,000 in FY 16.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of violations of provisions in the bill.

**OLR Bill Analysis****sSB 412*****AN ACT CONCERNING THE ENFORCEMENT OF CERTAIN  
OCCUPATIONAL LICENSING STATUTES.*****SUMMARY:**

This bill makes several changes to the Department of Consumer Protection's (DCP) occupational licensing enforcement laws. The bill:

1. makes it illegal to negligently (a) engage in certain work without the required license or (b) employ unlicensed people (§ 2);
2. requires the DCP commissioner or appropriate examining board to issue cease work orders for certain unlicensed work (§ 2);
3. requires the commissioner, with the agency's boards, to adopt procedural rules for hearings and proceedings before him or DCP's boards and commissions (see BACKGROUND) (§ 4);
4. prohibits him from adopting regulations affecting the boards and commissions until they have approved them (§ 4);
5. allows him and the appropriate examining board to make the report to the appropriate state's attorney together (§ 1);
6. requires the boards or commissions, instead of their chairpersons, to approve dismissal of certain complaints DCP receives (§ 3); and
7. requires the commissioner, instead of allowing him, to bring certain complaints before the boards or commissions for formal hearings (§ 3).

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2014

## **§ 2 — PENALTIES FOR VIOLATIONS**

### ***Criminal Negligence***

The bill makes it a class B misdemeanor for certain contractors to negligently:

1. perform work without first obtaining the required permit or certificate and license;
2. hire or provide an uncertified or unlicensed person to perform the work;
3. perform the work when the required license has expired.

A class B misdemeanor is punishable by a fine of up to \$1,000, imprisonment for up to six months, or both. The bill also makes these violations an unfair or deceptive trade practice under the Connecticut Fair Trade Practices Act (CUTPA) (see BACKGROUND). Existing law imposes these penalties on people who commit the above actions wilfully.

These penalties apply to people who perform electrical; plumbing and piping; solar; heating, piping, cooling, and sheet metal; fire protection sprinkler systems; elevator installation, repair, and maintenance; irrigation; automotive glass or flat glass; or swimming pool maintenance and repair work.

### ***Cease Work Order***

The bill requires the DCP commissioner, the applicable examining board, or both together, to issue and deliver a cease work order when:

1. he or the board finds someone performing work or allowing work to be performed without a required permit, license, or certificate and
2. the work is not part of a bona fide dispute among people in the trade, regardless of licensure.

The commissioner or board must, within 48 hours of finding the violation, issue and deliver the order to the person responsible for the violation. If the commissioner issues the order, he must give a copy of it to the board, and vice versa. The bill also allows him and the board, separately or together, to notify municipal building officials of the order or ask them to issue one.

Under the bill, a cease work order must require all unlicensed, unpermitted, or uncertified people working at the worksite to immediately stop work and leave the site. Anyone who is issued an order may ask for a hearing before the commissioner and board. The request must be in writing, to the commissioner, within 10 days after the order is issued. The hearing must be held within 10 days after the request.

### ***Civil Fines***

The bill extends existing civil fines for performing certain unlicensed or uncertified work to people who negligently use or provide an unlicensed or uncertified person to perform work that requires a license or certification. By law, the fines are up to (1) \$1,000 for a first violation, (2) \$1,500 for a second violation, and (3) \$3,000 for violations occurring within three years of a second or subsequent violation. Improperly registered apprentices are exempt from a penalty for a first offense.

By law, the appropriate examining board or the commissioner can impose these civil penalties. The bill (1) allows them to issue the fine together and (2) specifies that a single penalty is issued for each violation.

Under existing law, if the commissioner collects a civil penalty from a violation that was reported to him by a municipal building official, he must remit half of the collected funds to the municipality. The bill expands the circumstances under which the commissioner must remit these funds to include penalties resulting from cease work orders issued by municipal building officials.

**§ 4 — REGULATION APPROVAL**

Under current law, the commissioner (1) must adopt the procedural rules for hearings and proceedings before him or DCP's boards or commissions and (2) may adopt regulations for the subjects within the boards or commissions purview when the law allows for it. The bill makes the commissioner adopt the procedural rules and regulations with the boards, but not the commissions.

The bill prohibits the commissioner from adopting regulations unless the affected board or commission has approved them. Current law only provides the boards or commission with a reasonable opportunity to review and comment on the regulations.

**§ 1 — REPORTING VIOLATIONS**

By law, the commissioner, with help from the examining boards for certain occupations, may adopt regulations establishing practice, standards, experience, and training requirements for the occupations. This applies to electrical; heating, piping, cooling, and sheet metal; plumbing and piping; elevator installation, repair, and maintenance; fire protection sprinkler systems; and automotive glass and flat glass work.

Current law requires an examining board, or the commissioner or his agent to, after a hearing showing a violation of the occupational licensing law or regulations, report the violation to the state's attorney for the district where it occurred.

The bill (1) eliminates the agent's authority to make the report and (2) allows the board and commissioner to report the violation together. By law, the report is in addition to the penalties imposed for violating the licensing law or its regulations.

**§ 3 — DCP COMPLAINTS*****Dismissals***

This bill eliminates the boards' or commissions' chairpersons' authority to approve dismissing complaints investigated by DCP for

which no probable cause is found. It instead requires the applicable board or commission to approve the dismissal.

By law, DCP receives complaints on (1) the work and practices of people licensed or certified by its boards or commissions and (2) unauthorized work and practices by unlicensed people. DCP screens the complaints and dismisses those that, if substantiated, would not violate the law or an applicable regulation. DCP must investigate the complaints that, if substantiated, would be a violation.

### ***Formal Hearings***

By law, the commissioner may settle a complaint if it is approved by both parties and relevant board or commission. Current law allows him to bring a complaint to the appropriate board or commission for a formal hearing if he determines that (1) there is probable cause to believe that the offense was committed and (2) the person named in the complaint was responsible.

The bill eliminates the commissioner's discretion to bring complaints before the board or commission. Under the bill, for complaints without a settlement, he must bring the complaint before the board or commission if he finds probable cause and culpability.

## **BACKGROUND**

### ***DCP Boards and Commissions***

The following boards and commissions are within DCP:

1. Architectural Licensing Board;
2. examining boards for electrical; plumbing and piping; heating, piping, cooling, and sheet metal; elevator installation, repair, and maintenance; fire protection sprinkler systems; and automotive glass and flat glass work;
3. State Board of Television and Radio Service Examiners;
4. Commission of Pharmacy;



5. State Board of Landscape Architects;
6. State Board of Examiners for Professional Engineers and Land Surveyors;
7. Connecticut Real Estate Commission;
8. Connecticut Real Estate Appraisal Commission;
9. State Board of Examiners of Shorthand Reporters;
10. Liquor Control Commission; and
11. Home Inspection Licensing Board (CGS § 21a-6).

***Connecticut Unfair Trade Practices Act (CUTPA)***

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the DCP commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea    13        Nay   4        (03/18/2014)